

1 MICHAEL W. MALTER, #96533  
DAVID B. RAO, #103147  
2 Binder & Malter, LLP  
2775 Park Avenue  
3 Santa Clara, CA 95050  
Telephone: (408)295-1700  
4 Facsimile: (408) 295-1531  
Email: Michael@bindermalter.com

5 Attorney for Debtors  
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8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA, DIVISION 5**

10 In re

11 AARON STEVEN BELANSKY and  
12 MARLENE PANGAN BELANSKY,  
13 Debtors.

Case No. 09-58638-RLE

Chapter 13

NO HEARING UNLESS REQUESTED

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15 **NOTICE AND OPPORTUNITY FOR HEARING ON MOTION**  
16 **TO VALUE COLLATERAL AND AVOID LIEN; AND OF OPPORTUNITY**  
**TO OBJECT**

17 TO GMAC MORTGAGE, LLC, and its Agent for Service of Process  
18 CORPORATION SERVICE COMPANY, MELODIE A. WHITSON, ESQ., its attorney of  
19 record, and GREENPOINT MORTGAGE FUNDING, INC., its predecessor in interest,  
20 and its Agent for Service of Process CORPORATION SERVICE COMPANY, aka CSC -  
21 LAWYERS INCORPORATING SERVICE and DEVIN DERHAM-BURK, Chapter 13  
22 Trustee:

23 PLEASE TAKE NOTICE that Debtors Aaron Steven Belansky and Marlene  
24 Pangan Belansky will move the Court to value the collateral of GMAC Mortgage, LLC  
25 successor to Greenpoint Mortgage Funding, Inc., consisting of real property commonly  
26 known as 5453 Laura Drive, San Jose, California for the purpose of avoiding its lien on  
27 the basis that its lien is wholly unsecured.

28 PLEASE TAKE FURTHER NOTICE that if a creditor or other interested party

1 objects to the within relief, you must, pursuant to Local Bankruptcy Rule 9014(b)(2) of  
2 the United States Bankruptcy Court for the Northern District of California, do the  
3 following:

4 (i) File a written objection to the requested relief, or a request for  
5 hearing on the matter, which must be served upon the requesting party within twenty  
6 (20) days of mailing of this notice. Objections for hearing must be served on the  
7 following parties:

8 Attorney for Debtor: Michael W. Malter, Esq.  
BINDER & MALTER, LLP  
9 2775 Park Avenue  
Santa Clara, CA 95050

10 (ii) The request for hearing or objection must be accompanied by  
11 any declarations or memoranda of law the party objecting or requesting wishes to  
12 present in support of its position;

13 PLEASE TAKE FURTHER NOTICE that if there is not a timely objection  
14 to the requested relief or a request for hearing, the Court may enter an Order granting  
15 the relief by default.

16 Dated: November 10, 2009

BINDER & MALTER, LLP

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18 By: /s/ Michael W. Malter  
MICHAEL W. MALTER, Esq.  
19 Attorney for Debtors  
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